

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

\* \* \*

REED BARRUS,

Petitioner,

Case No. 3:24-cv-00027-MMD-CLB

v.

ORDER

NETHANJAH BREITENBACH, *et al.*,

Respondents.

Reed Barrus has submitted a *pro se* petition for writ of habeas corpus under 28 U.S.C. § 2254. (ECF No. 1-1.) He has not filed an application to proceed *in forma pauperis* (“IFP”) or paid the \$5.00 filing fee. See 28 U.S.C. § 1915(a)(2); Local Rule LSR1-2. This action is therefore subject to dismissal without prejudice as improperly commenced. However, it is unclear from the papers presented whether a dismissal without prejudice will materially affect a later analysis of any timeliness issue with respect to a new action.

It is therefore ordered that within 30 days of the date of this order, Petitioner must submit either the \$5.00 filing fee or a fully completed application to proceed *in forma pauperis*.

It is further ordered that failure to submit the filing fee or IFP application may result in the dismissal of this action without prejudice.

The Clerk of Court is further directed to retain a copy of the petition but not file it at this time.

DATED THIS 23<sup>rd</sup> Day of February 2024.



MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE